GZB/cj 5/2/05

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

RONALD J. SMITH,)
Plaintiff,) C.A. No. 05-119 (SLR)
v.)
E.I. DUPONT DE NEMOURS AND COMPANY, a Delaware Corporation,)))
Defendant.))

STIPULATION

WHEREAS Plaintiff Ronald J. Smith filed a Complaint in this action on February 28, 2005 in which he asserted factual allegations related to Plaintiff's retirement from his employment with DuPont.

WHEREAS counsel for Defendant E.I. DuPont de Nemours and Company ("DuPont") contacted Plaintiff's counsel to challenge the accuracy of the factual allegation with respect to Plaintiff's date of retirement, contained in the Complaint at paragraph 4.

WHEREAS counsel for Plaintiff agreed with counsel for Defendant that the Form TR9721, attached, prepared by the DuPont Company and executed by Plaintiff and a representative of the DuPont Company was inaccurate and confused the date of retirement. Counsel for Plaintiff agreed to stipulate the actual date of retirement as November 14, 1991 to correct paragraph 4 of the Complaint of the Plaintiff so there is no confusion of dates of retirement.

WHEREAS counsel for both parties agreed that a stipulation correcting the inaccuracy would be appropriate.

IT IS STIPULATED AND AGREED, by and between the undersigned parties:

That, contrary to the allegation contained in paragraph 4 of the Complaint,
 Plaintiff in fact retired from DuPont on November 30, <u>1991</u> and the Complaint is amended accordingly.

BERKOWITZ, SCHAGRIN & COOPER, P.A.	POTTER ANDERSON & CORROON, LLP
GERALD Z. BERKOWITZ, ESQUIRE (#152) 1218 Market Street P.O. Box 1632 Wilmington, Delaware 19899-1632 Phone: (302) 652-3155 Attorney for Plaintiff, Ronald J. Smith	BY: MARY/E. COMPER, ESQUIRE (#2397) SARAH E. DILUZIO, ESQUIRE (#4085) Hercules Plaza 6 th Floor 1313 N. Market Street P.O. Box 951 Wilmington, Delaware 19899 Phone: (302) 984-6000 Attorneys for Defendant, E.I. DuPont de Nemours and Company
DATED: May 2, 2005	DATED: 5-4-05
SO ORDERED, this day of	2005.
	JUDGE